

REMARKS

1. Reconsideration and further prosecution of the above-identified application are respectfully requested in view of the amendments and discussion that follows. Claims 1-39 are pending in this application.

Claims 1-39 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,665,395 to Busey et al. Claims 1, 13, 17, 21, and 22 have been amended, and claims 5, 26, and 34-39 have been cancelled. Applicant has amended the specification only to correct two typographical errors. The amendments have not introduced new matter into the disclosure. After a careful review of the claims, and in view of the amendment to the claims, the rejections are therefore traversed, and allowance of the claims are respectfully requested.

2. Claim 1 is now limited to include identifying the media type as exclusive or nonexclusive. Busey does not teach identifying the media type as exclusive or nonexclusive. The Examiner asserts that column 12, lines 31-42 of Busey teaches a “parameter to specify exclusivity”. However, the cited portion of Busey teaches a method to “assign calls based on customer-ranking,” which allows a “customer to be moved up in a queue . . . or to other wise gain priority over other customer calls.” (Col. 12, lines 31-38 of Busey).

In citing Busey as teaching a parameter to specify exclusivity, the Examiner appears to be equating “exclusivity” with “priority”. Applicant claims identifying the media type as exclusive or nonexclusive, where no further customer contacts are permitted for the duration of the customer contact by the transaction processing entity if the media type is exclusive. This limits the number of exclusive media types that a transaction processing entity may handle, and does not modify the order in which calls are taken. In contrast, Busey teaches a method of prioritizing calls. For example, the cited portion of Busey teaches that a “gold” customer may be moved up in a call queue, or an “emergency” call may be moved to the front of a call queue. Busey fails to teach the limitation of identifying the media type as exclusive or nonexclusive, and therefore claim 1 should be allowed.

3. The Examiner has rejected independent claims 13, and 21-22 for the same reasons as asserted with respect to claim 1. Examiner does not address the limitation in claim 13 and 21 of searching a transaction routing table for a transaction processing entity that is capable of handling the media type. Furthermore, Busey does not teach this “searching” limitation. The cited portions of Busey speak to a control 14, and generally to “other processes, devices . . .” that “. . . serve to perform the features and

functions” of the system described in Busey. (Col. 4, lines 65-67 of Busey). Examiner also cites column 12, lines 26-30, which merely states that variations of a general call routing centers are possible.

None of these cited portions of Busey nor any other portion of Busey disclose the Applicant's claimed steps of searching a transaction routing table for a transaction processing entity that is capable of handling a certain media type. Busey's system assumes that every agent is capable of handling every possible media type. (See Column 11, lines 29-67 of Busey). Busey does consider that an agent might not be able to handle any more “chat” calls because that agent has reached the assigned limit for chat calls. But Busey does not teach that a particular agent might be unable to handle ANY chat calls or some other media type.

Regarding claim 22, it is now limited to include identifying the media type as exclusive or nonexclusive. As discussed above with respect to claim 1, Busey does not teach identifying the media type as exclusive or nonexclusive. Furthermore, claim 22 is now limited to include means for permitting no further customer contacts for the duration of the customer contact by the transaction processing entity if the media type is exclusive. As discussed above with regard to claim 1, Busey also does not teach this limitation. Therefore claims 13, 21, and 22 are believed to be allowable.

4. Regarding claims 7 and 28, Busey does not teach exclusivity, as argued above with respect to claims 13, 21, and 22. Furthermore, Busey does not teach the method of finding a transaction processing entity.

Busey claims a method of assigning multiple calls to agents that utilizes “endpoints,” and a ratio of open agent endpoints to the maximum number of available endpoints. (See column 11, lines 29-67 of Busey). According to Busey, “the larger the ratio, the less busy is the agent.” In contrast, Applicant claims a method of comparing the metric to a threshold relating to the maximum number of customer contacts of the media type that the transaction processing entity may handle, and when the metric exceeds the threshold, preferentially routing customer contacts to another transaction processing entity. So instead of employing the ratio method of Busey, Applicant claims a method that compares a metric to a threshold.

Busey fails to teach the limitation of the metric/threshold method for finding a transaction processing entity. Furthermore, claims 7 and 8 depend on allowable base claims and include additional, novel subject matter of the invention. Therefore claims 7 and 28 should be allowed.

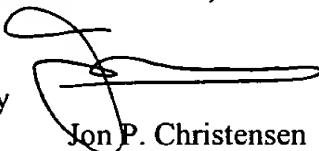
5. Regarding claims 9, 19, and 30, the Examiner asserts that the claim limitation “basically reads on keeping a tack [sic] and recording the data and other information about customers [sic] calls and the agents that are assigned to handle these calls, see col.3, lines 32-47.” The cited portion of Busey describes that the “system also provides for detailed agent performance tracking. One type of performance that is tracked is the agent’s performance on different communication types . . . The system provides extensive call recording or ‘data wake’ information gathering.” (See Col. 3, lines 32-44). This is not what the Applicant claims.

The Applicant claims using a transaction routing table to list assigned customer contacts to transaction processing entities. This claims a routing table used by the system to distribute calls *before* they are handled by a transaction processing entity. The Examiner cites a portion of Busey that teaches keeping track of agent performance and customer data *after the call has been assigned, and during the handling of a call by the agent*. Busey fails to teach the limitation of a routing table. Furthermore, claims 9, 19, and 30 depend on allowable base claims and include additional, novel subject matter. Therefore claims 9, 19, and 30 are believed to be allowable.

6. The remaining dependent claims 2-8, 10-12, 14-17, 18, 20, 23-25, 27-29, and 31-33 depend on an allowable base claim and include additional, novel subject matter of the invention. Therefore, applicant believes that these claims are also allowable.

7. Allowance of claims 1-33, as now presented, is believed to be in order and such action is earnestly solicited. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to telephone applicant's undersigned attorney.

Respectfully submitted,
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September 7, 2004
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